

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:05cr241

UNITED STATES OF AMERICA )

vs. )

WILLIE REESE )  
\_\_\_\_\_ )

ORDER

**THIS MATTER** comes before the Court on Defendant's Motion to Return Property under Rule of Criminal Procedure 41. (Doc. No. 23).

The Court ordered, (Doc. No. 25), the United States Attorney to file a response to the motion seeking the return of currency seized during the execution of a search warrant at the defendant's residence. The government's response provided evidence that \$ 5,981.00 in currency is available at the Charlotte-Mecklenburg Police Department (CMPD) to be released to the defendant, or his agent with proper documentation. (Doc. No. 27: Response at ¶ 6, Attachment). Absent a showing that the CMPD is unwilling to release the currency, the Court finds that it is not necessary to order the release of the property.

**IT IS, THEREFORE, ORDERED** that Defendant's Motion to Return Property under Rule of Criminal Procedure 41 is **DENIED as moot**.

Signed: October 20, 2008



Robert J. Conrad, Jr.  
Chief United States District Judge

